

June 20, 2004
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20445

Re: MB Docket No. 04-160

Dear FCC,

I fully support the joint statement issued by the two SDARS providers titled, "Opposition of Sirius Satellite Radio Inc and XM Radio Inc"; consequently, I strongly urge the FCC to deny the petition by NAB.

Furthermore, I would like to add that there are compelling state reasons to deny the petition. In the event of a national emergency, a redundant national weather and traffic network could be instrumental for national security. It could have civilian as well as military implications.

In addition, I would like to reply to the organized comments belatedly filed by members of NAB. No doubt it is a response to the overwhelming number of comments filed by ordinary citizens, who have no financial incentives, only the desire to be able to safely travel from one point to another. I would like to point out that the relatively few comments files by NAB members are almost entirely written by station managers and other members of management that would directly benefit from a favorable ruling by the FCC. No doubt a favorable ruling would make their jobs easier and would line their pockets with easy money.

A re-occurring theme in the comments from the NAB members is the notion that it is an FCC mandate to protect the terrestrial broadcasters against all competitors that might endanger their profits. In my humble opinion, it is not the FCC's mandate to protect one technology over another. Nor does the NAB need protection. It is like the proverbial elephant being afraid of a tiny little old mouse.

Another re-occurring theme is the notion that NAB members have a monopoly on public service. Indeed, they do provide an invaluable public service by providing such information as PTA meetings, interviews with local politicians, notifications of school closings and 4H and Brownie Scout meetings. Members of the local community of which they are members best provide this information. It is ridiculous to believe that the SDARS providers would ever encroach into this domain, nor could they ever fill this need better than the terrestrial broadcasters.

Weather and traffic is another matter. If I want to know what the weather will be like in Greenville or what the traffic looks like for my trip to work, I can tune into the local stations at the appointed hour and find out. If I am traveling through Atlanta, I can't do this. By figures given by a Sarasota NAB member, their six stations provide a total of 650 traffic reports and 130 weather reports weekly. That calculates to just over 15 traffic reports and 3 weather reports daily per station. If I am not familiar with the local stations, what are the odds of me finding this information when I need it? It's almost impossible to find it in time to do any good. On my satellite radio, I know exactly where to tune in and I don't have to wait until I am in the vicinity. It gives me more time to exercise my options. Weather and traffic reporting are clearly of more than a local interest. They say

that the SDARS providers give nothing back. What could be more important than the safety of your loved ones? Quite frankly, the SDARS providers are better able to serve the public interest in this domain. In fact, the NAB members could better fill their public charter if they concentrated on the truly local issues mentioned above. SDARS providers afford them this opportunity. There is no compelling reason for the FCC to regulate in the least what local content that the SDARS providers can provide. There is already a natural boundary that works in the public interest. The SDARS providers are simply providing what terrestrial radios cannot sufficiently provide. There is no conflict.

And finally, most all of them mention what a great burden it is for them to carry the weather and traffic. Satellite radio would like to relieve them of this burden.

In conclusion, I would like to reiterate my support for the SDARS providers and my opposition to the petition filed by NAB.

Thank you for this opportunity to reply.

Sincerely,

Bert. King,
Greenville, SC